

REMARKS

The above-referenced patent application has been reviewed in light of the Office Action referenced above. Reconsideration of the above-referenced patent application in view of the following remarks is respectfully requested.

No claims have been cancelled, amended, or added.

The Examiner's objection is noted. Amending in light of this objection does not affect substantive claim scope (and likewise will not create prosecution history estoppel). This is merely directed to an inadvertent typographical error. Therefore, it is respectfully requested that the objection be held in abeyance until substantive prosecution is completed.

The Examiner has rejected claims 1, 3-4,6-7, and 9 under 35 USC 102(b) on US Patent No. 6,522,356 (hereinafter "Watanabe"). This rejection is respectfully traversed.

It is noted that to establish a prima facie case of anticipation the Examiner must provide a document that discloses each and every limitation of the rejected claim or claims. It is asserted that Watanabe does not meet this requirement.

Applicant begins with claim 1. It is noted that claim 1 recites a "staggered sensor." Applicant asserts that Watanabe does not relate to staggered sensors. See, for example, the description at column 8, lines 27-42. Thus, at least this element is missing from the cited document.

It is noted that many other bases for traversing the rejection could be provided, but Applicant believes that this ground is sufficient. It is respectfully requested that the Examiner withdraw his rejection as to claim 1

It is noted that claims 3-4 depend from claim 1. Therefore, these claims distinguish from the cited document at least on the same basis as claim 1. It is respectfully requested that the Examiner withdraw his rejection as to claims 3-4.

Claims 6-7 and 9 also distinguish at least on the same or a similar basis as claim 1. It is respectfully requested that the Examiner withdraw his rejection as to these claims as well.

The Examiner has rejected claims 2, 5, 8 and 11 under 35 USC 103(a) on Watanabe in view of Inuiya (US Patent No. 5,982,984; hereinafter "Inuiya"). It is noted that Inuiya fails to cure the deficiencies noted above regarding Watanabe. Therefore, assuming, simply for the sake of legal argument, without conceding, that the combination were proper, it still would fail to provide a prima facie case under section 103 because an element of the claim or claims being rejected is entirely missing. It is therefore respectfully requested that the Examiner withdraw his rejection of these claims.

Again, additional bases for traversing the rejection exist, but the above is believed to be sufficient.

CONCLUSION

In view of the foregoing, it is respectfully asserted that all of the claims pending in this patent application are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 629-7477. Reconsideration of this patent application and early allowance of all of the claims is respectfully requested.

Respectfully submitted,

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